

NE

APR 12 2004
MICHAEL W. DOBBINS

06CV2069
JUDGE HOLDERMAN
MAGISTRATE KEYS

Ms. Pearlean Johnson
546 N. Addison Rd.
Villa Park, Illinois 60181

1. On January 6, 2006, plaintiff, Pearlean Johnson, commenced this civil action against the United States Department of Education, by alleging that Great Lakes Higher Education Guaranty Corporation and the Department of Education fraudulently withheld a tax refund in the amount of \$59.00, and in so doing intentionally caused her emotional distress. A copy of the summons and complaint has not been served on the Department of Education or the Attorney General, as required by federal statute. However, a copy of the summons and complaint was informally received by the

United States Attorney on February 3, 2006. Copies of all process, pleadings and orders informally received by the United States Attorney are attached pursuant to 28 U.S.C. § 1446(a) as Exhibit A.

2. A Notice of Removal may be filed without bond at any time before trial. Trial has not been had in this action.


3. The filing of this Notice of Removal, this civil action shall be deemed an action against the United States pursuant to 28 U.S.C. § 2679, and the United States shall be substituted as the party defendant.

WHEREFORE, this action now pending in the Circuit Court of Cook County, Law Division, is properly removed to the United States District Court for the Northern District of Illinois, pursuant to 28 U.S.C. § 2679(d).

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By:


PIERRE C. TALBERT
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-4088



2120 - Served
2220 - Not Served
2320 - Served By Mail
2420 - Served By Publication
SUMMONS

2121 - Served
2221 - Not Served
2321 - Served By Mail
2421 - Served By Publication
ALIAS - SUMMONS

(Rev.12/3/01) CCG 0001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, _____ DIVISION

(Name all parties)

No. 2006L000163
CALENDAR ROOM U
TIME 00:00
Fraud

PEARLEAN JOHNSON U.S. Department
v. of Education

298

SUMMONS

To each defendant: ETAL

111 N. Canal Street Ste #1009
Chicago, IL 60606

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the office of the Clerk of this Court at the following location:

- | | | |
|---|---|--|
| <input type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room _____, Chicago, Illinois 60602 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426 | |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | | |

You must file within 30 days after service of this summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than 30 days after its date.

Atty. No.:

Name: PEARLEAN JOHNSON

Atty. for:

Address: 546 N. Addison Road

City/State/Zip: U. 11A Park, IL 60181

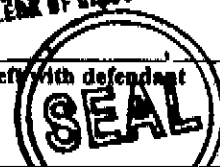
Telephone:

WITNESS, _____

Clerk of Court
CLERK OF CIRCUIT COURT

Date of service:

(To be inserted by officer on copy left with defendant or other person)



Service by Facsimile Transmission will be accepted at:

PEARLEAN JOHNSON

2006L000163
CALENDAR/ROOM U
TIME 00:00
Fraud

GREAT LAKES HIGHER Education Guaranty Corporation
ETAL

98
COURT CASE

"Bait and Switch" scam

Item "B" (\$60,160.00 - the "Bait" contract) below is what I signed (Ex - H); however, Collegiate Funding and Great Lakes is trying to force upon me their "Switch" contract item "C." Contract "C" packet was sent to me but not signed (see Ex-C)

B). Collegiate Funding's promissory note (see Ex-H), claimed they will pay-out \$60,160.00.

32,408.00

27,752.00

(12,775.00) Nelnet, not included in pay-off (pay-off was denied)

\$60,160.00 (Total)

C) On the other hand, Collegiate Funding and Great Lakes sent me a packet (see Ex-C) requesting payment of \$135,054.00.

77,405.06 (loans)

57,648.94 (interest)

\$135,054.00 (Total)

Emotional Distress

A. Great Lakes and the U.S. Dept of Education created an EIC Tax Refund of \$59.00 and then turned around and intercepted the Federal Tax Refund and applied it to an alleged debt owed to Great Lakes. This act was a pure case of cruel intent to inflict emotional distress upon me.

Ruined Credit

- A. I am unable to refinance my home (to a low fix-rate)
- B. I am unable to get a simple credit card
- C. Due to my credit rating, I have to get extremely high loan rates for Home Equity Loans, Car Loans, Personal Loans, etc.
- D. Could not purchase my office building @ 1060 W. Van Buren, Chicago, IL 60607

Entrapment

CFS' combined application and promissory note is an "entrapment!"

CFS used this application/note as an application – this is the reason why there was no interest rate and no total dollar amounts on the application I signed. I thought that CFS could not enforce a document being used as an application for there was no interest rate and no total dollar amount for a meeting of the minds by both parties.

Fraudulent Acts

- CFS lied about all of my loans were (or going to be) consolidated – CFS and Great Lakes intentionally neglected to inform me that EFS (now owned by Nelnet) denied them pay-off requests of my student loans.
- CFS and Great Lakes tried to pass off one of my loans, the \$12,755.00, as an EFS/Nelnet loans so that I would think that all my loans were consolidated.
- CFS and Great Lakes lied about EFS loan amounts.

- Great Lakes Higher Education Guaranty Corporation
2401 International Lane
Madison, WI 53704-3192

- Diversified Collection Services, Inc.
P.O. Box 9057
Pleasanton, CA 94566-0057

- Collegiate Funding Services, LLC (CFS)

- U.S. Department of Education



Pearlann Johnson

APR 12 2006

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PEARLEAN JOHNSON,

Plaintiff,

v.

U. S. DEPARTMENT OF EDUCATION,

Defendant.

)
)
)
) Formerly Case No. 2006L000163
) Circuit Court of Cook County,
) Illinois, County Department,
) Law Division
)
)

NOTICE OF FILING

To: Dorothy A. Brown, Clerk
Circuit Court of Cook County
Daley Center, Room 1001
Chicago, Illinois 60602

Pearlean Johnson
546 North Addison Rd.
Villia Park, Illinois

PLEASE TAKE NOTICE that on April 12, 2006, the undersigned filed with the Clerk of this Court, **NOTICE OF REMOVAL OF A CIVIL ACTION**, service of which is being made upon you.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

**06CV2069
JUDGE HOLDERMAN
MAGISTRATE KEYS**

By:

PIERRE C. TALBERT
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-4088

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

AFFIDAVIT OF SERVICE BY U.S. MAIL

HERMEIN BASKIN being first duly sworn on oath deposes and says that she is employed in the Office of the United States Attorney for the Northern District of Illinois; that on the 12th day of April 2006, she MAILED a copy of

1. **NOTICE OF FILING**
2. **NOTICE OF REMOVAL OF A CIVIL ACTION**

to the individuals named below.

Clerk of the Court
Circuit Court of Cook County
Daley Center, Room 1001
Chicago, Illinois 60602

Martha L. Jackson
2201 Crain Street
Evanston, Illinois 60202

Hermein Baskin
SUBSCRIBED AND SWORN TO before me

this 12th day of April 2006

Lenora E. Nape
NOTARY PUBLIC

